



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

DAS:PT/AAS
F.#2012R01861

*271 Cadman Plaza East
Brooklyn, New York 11201*

May 8, 2013

BY HAND & ECF

The Honorable Jack B. Weinstein
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Shirley Huntley
Criminal Docket No. 12-54 (JBW)

Dear Judge Weinstein:

The government respectfully submits this application to (1) clarify the court's May 7, 2013 order regarding unsealing the defendant's sentencing submission; and (2) to request that an additional sentence from the defendant's sentencing submission be placed under seal.

In the Court's May 7, 2013 Order ("the Order") the Court ruled that the defendant's sentencing memorandum should be unsealed, with the exception of information referencing ill relatives of the defendant. The focus of the Order, as well as arguments held in connection with the Order, was on the issue of unsealing a list of nine names set forth on page eight of the defendant's sentencing submission.

At the status conference held on May 6, 2013, however, the government had requested that an additional portion of the defendant's sentencing submission be sealed. Specifically, the government had requested that the paragraph immediately following the list of nine names be sealed. This paragraph begins on the bottom of page eight with the words "[w]ith limited exception" and continues through the middle of page nine. The information contained therein relates to specific details of ongoing investigations of three elected officials. Indeed, some of these details are also discussed in the government's sealed sentencing submission filed on May 7, 2013, which the Court has ordered shall remain sealed. The government therefore respectfully requests that the Order be amended and clarified to permit the sealing and redacting of the paragraph beginning on the bottom of

page eight and continuing to the middle of page nine of the defendant's sentencing submission.

In addition, the government respectfully requests that the first full sentence at the top of page three of the defendant's sentencing submission, beginning with the words "[u]pon information" be sealed and redacted from the version to be publicly-filed. This sentence does not relate to an individual whose conversations the defendant recorded. Instead, this sentence provides certain substantive information regarding details of the government's ongoing investigation. Therefore, for the same reasons stated above, the government respectfully requests that the this sentence remain sealed.

Counsel for the defendant consents to the requests set forth herein.

The government will inform the Court and counsel for the defendant by 2:00 P.M. today as to whether the government has obtained a stay of the Court's May 7, 2013 order.

Respectfully submitted,

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